

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- against -

LENA LASHER,

Defendant.

**O R D E R**

12 Cr. 868 (NRB)

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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

The letter, dated September 27, 2021, from Lena Lasher seeking to file a stipulation of dismissal without prejudice (ECF No. 555) reflects a profound misunderstanding of this Court's prior decisions and orders. The direction to Ms. Lasher is that she terminate her appeal against Dr. Anu Konakanchi, since pursuing it is in clear violation of the injunction previously entered by this Court, which was affirmed by the Second Circuit on January 15, 2020. Ms. Lasher's actions are also in violation of this Court's February 12, 2021 Order (ECF No. 534), directing Ms. Lasher to inform the Superior Court of New Jersey, Appellate Division that it was not her intent to pursue an appeal against Dr. Konakanchi.

In simple English, this means to withdraw the appeal once and for all time. In the language of stipulations, this translates into "with prejudice." Thus, a without prejudice

dismissal is in violation of this Court's orders, is wholly unacceptable, and would not preclude a finding of contempt of court. The form of stipulation prepared by Dr. Konakanchi's counsel is correct and Ms. Lasher should sign it without additional delay.

The Court also includes in this order a respectful suggestion to Dr. Konakanchi's lawyer, namely, that if Ms. Lasher does not comply with this Order and continues in her obstinate ways, counsel make a formal motion to the Superior Court of New Jersey, Appellate Division to dismiss the appeal given the length and clarity of the existing record. This Court is hopeful that its suggestion will be adopted as it could resolve this lingering issue swiftly and without additional complications.

Dated: New York, New York  
October 5, 2021

A handwritten signature in blue ink, reading "Naomi Reice Buchwald", is written over a horizontal line.

NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE